

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE NATIONAL PRESCRIPTION

OPIATE LITIGATION

*This document relates to:*

*Track Eight: Cobb County, Georgia*  
*Case No. 1:18-op-45817-DAP*

COBB COUNTY,

*Plaintiff,*

v.

PURDUE PHARMA, L.P., et al.,

*Defendants.*

MDL 2804

Case No. 17-md-2804

Hon. Dan Aaron Polster

**PLAINTIFF COBB COUNTY'S  
MOTION FOR PARTIAL SUMMARY  
JUDGMENT**

Pursuant to Fed. R. Civ. P. 56, and for the reasons set forth in Plaintiff's Memorandum in Support of its Motion for Partial Summary Judgment that Publix Super Markets, Inc. Breached its Duties under the Controlled Substances Act and the Georgia Controlled Substances Act,<sup>1</sup> Plaintiff Cobb County, Georgia moves for partial summary judgment as described in the accompanying Memorandum in Support.

For the reasons stated in the Memorandum in Support, the Court should enter partial summary judgment that Defendant Publix Super Markets, Inc. owed certain anti-

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<sup>1</sup> Cobb County's Memorandum in Support is being contemporaneously served on Defendant with the filing of this motion, and the parties have agreed to follow the procedures set forth in the "Directions Regarding Filing of Briefs Under Seal" issued by Special Master Cohen on June 24, 2019 (Dkt. 1719) and the Court's "Order Amending Procedures Regarding Redactions and Filing of Briefs Under Seal" dated July 5, 2019 (Dkt. 1813) with respect to filing the memorandum on the docket.

diversion duties and breached those duties under the Controlled Substances Act (21 U.S.C. §§ 801 *et seq.*) and its implementing regulations, and the Georgia Controlled Substances Act (GA. CODE ANN. § 16-13-20 *et seq.*) and its implementing regulations, with respect to the distribution and dispensing of prescription opioids in Cobb County, Georgia.

Dated: April 26, 2024

Respectfully submitted,

*Plaintiffs' Co-Lead Counsel*

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 26, 2024, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system. Copies will be served upon counsel of record by, and may be obtained through, the Court's CM/ECF system.

/s/ Peter Weinberger

Peter Weinberger